REMARKS/ARGUMENTS

The Office Action mailed July 17, 2007 has been received and the Examiner's comments carefully reviewed. Claims 1-22 were rejected. Claims 1, 10, 11, 13, 15, 16 and 17 have been amended. No new matter has been added.

Claim Rejections

Claims 1, 10 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swierk et al., "The Roma Personal Metadata Service," Mobile Networks and Applications: 7, 2002: pgs. 407-418 (hereinafter Swierk) in view of Masek (U.S. Publication No. 2005/0165884). Claims 2-9, 11-16 and 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swierk in view Masek and further in view of Peng (U.S. Patent 6,317,754).

With regard to Claim 1, the Office Action states that "Swierk fails to explicitly disclose determining items to synchronize between the first data source, the second data source and the device, such that the device and the first source each include a same version of the items after synchronizing and such that the first data source, the second data source and the device each include the same version of the items after synchronizing and cross-pollinating" but states that "Masek teaches synchronizing a file between all of the different devices, including mobile devices in order to increase the efficiency of a system by allowing updates at one location to be reflected at another location, thereby replicating versions across all system devices." The Applicants respectfully disagree but have amended the independent claims to more clearly define the invention.

As amended, Claim 1 recites in part "determining items to synchronize between the first data source, the second data source and the device; wherein the first data source, the second data source and the device are user devices that are associated with a particular user." In contrast, the cited references do not teach using a user device to synchronize and cross-pollinate devices that are also user devices.

Roma does not synchronize a file across all of the devices. Instead, Roma waits for a user to attempt to access a file and then determines where the most recent version is before accessing the file. Roma discloses a system that stores metadata at a central repository concerning a user's files (See page 409, paragraph 4). Roma teaches that certain applications running on the different devices communicate with the central metadata server and update the central repository when a change is made to a file (See Figure 1). Masek is directed at "maintaining and synchronizing multiple accounts in a distributed environment. Updates to accounts at one location are automatically propagated to other locations within the distributed environment. A user of a local system who is disconnected at the time of the update may later receive the update when connecting to any system within the distributed environment." At paragraph 29, Masek states that "[a] user may want to maintain a local account for both online and offline use. While offline, a local user may have missed an update. FIG. 3 illustrates a process for receiving a missed update by a local user. In an operation 310, a user at terminal device 110 connects to remote server 114. Remote server 114 determines that the local account has not been updated, in an operation 311. Remote server 114 then sends recently received updates to local terminal device 110, in an operation 312. Local update agent 132 may then update account information for the user, in an operation 314. Because terminal device 110 is

typically used by a single user, only that user's data is updated locally." As can be seen, Masek

teaches accessing a remote server in order to update an account. A remote server is not a user

device. Since none of the cited references teach cross-pollinating user devices using only user

devices, Claim 1 is proposed to be allowable. Claims 2-9 are proposed to be allowable as they

depend from a valid base claim.

Claim 10, as amended, recites in part "creating a first data source to synchronize with a

device and creating a second data source to synchronize with the device; wherein the first data

source, the second data source and the device are devices utilized by a particular user; connecting

the device to the first data source having first items to synchronize with the device; determining

first items to synchronize between the first data source and the device; synchronizing the device

with the first source such that the device and the first data source each include a same version of

the first items after the synchronizing; after synchronizing the device with the first data source

connecting the device to the second data source; determining second items to synchronize

between the second data source and the device; wherein determining the first items to

synchronize and determining the second items to synchronize include examining a SyncHash

value that is calculated for each of the items and is stored with each of the items; wherein the

SyncHash value that is calculated for each item includes two levels of property level matching

when the SynchHash value is calculated consisting of a primary keyset that is a set of fields that

is defined as the primary properties that are compared to consider when an item is a duplicate

and a secondary keyset that is a larger set of fields that is used to check for an existence of data

in those properties that even if the primary keysets match between two items, the two items are

not be considered duplicates of one another; synchronizing the device with the second source

such that the device and the second data source each include a same version of the second items after the synchronizing; and wherein the second data source includes updates to the first items that were synchronized between the device and the first data source; and wherein the second items that are synchronized with the device are synchronized with the first device when the device is synchronized again with the first data source." Claim 10 is proposed to be allowable for at least the reasons presented above. In addition to the above arguments, Claim 10 has been amended to include calculation of the SyncHash value including a primary keyset and a secondary keyset that is not described by the prior art. The dependent claims have also been amended to further clarify the invention that is not anticipated or made obvious by the cited references. Claims 11-16 are proposed to be allowable as they depend from a valid base claim.

Claim 17, as amended, recites in part "a device that is configured to act a shuttle between the at least two data sources to cross-pollinate, and that is configured to synchronize with the at least two data sources such that after synchronizing and cross-pollinating, the device and the at least two data sources include a same version of items that were selected to be synchronized; wherein the data sources and the device are user devices that are associated with a particular user." Claim 17 is proposed to be allowable for at least the reasons presented above. Claims 18-22 are proposed to be allowable as they depend from a valid base claim.
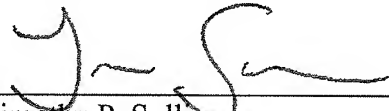
Conclusion

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application,

the Examiner is requested to contact the undersigned attorney for the applicant at the telephone

number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.

Timothy P. Sullivan
Registration No. 47,981
Direct Dial: 206.342.6254

MERCHANT & GOULD P.C.
P. O. Box 2903
Minneapolis, Minnesota 55402-0903
206.342.6200

27488
PATENT TRADEMARK OFFICE